

~~ROANOKE~~ DIVISION

JUN 15 2009

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ORDER

In accordance with the accompanying memorandum opinion, it is hereby **ADJUDGED AND ORDERED** that Plaintiff's Motion to Compel (Dkt. No. 57) is **DENIED**.

It is clear that attorney-client privilege existed, was properly invoked and has not been waived. Neither the “at issue” nor crime-fraud exceptions apply.

The Clerk of the Court is directed to send a certified copy of this Memorandum Opinion and accompanying Order to Plaintiff's counsel of record and to Defendants' counsel.

Enter this 15th day of June, 2009.

WRL

Michael F. Urbanski
United States Magistrate Judge